

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:08-CV-80736-KAM

JANE DOE 1 and JANE DOE 2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

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SUPPLEMENTAL ORDER

This cause is before the Court on the Government's Notice of Partial Compliance (DE 332) and non-party victims' Response to Court Order of July 6, 2015 and United States' Notice of Partial Compliance (DE 335).

On July 6, 2015, this Court ordered the Government to provide Petitioners with certain documents indicating "which individuals the Government considered to be victims or potential victims at the time it negotiated the non-prosecution agreement." (DE 330 at 24). If Petitioners were previously unaware of these victims' identities, the Court concluded, they were entitled to production under "an appropriate protective order to protect the victims' identity." (*Id.* at 24-25).

On July 20, 2015, the Government indicated its partial compliance with this order; however, the Government indicated its belief that disclosing the identities of previously unnamed victims without their consent "would violate both state law and the CVRA." (DE 332 at 4). The Government indicated that it was currently "attempting to determine whether any of the named individuals will consent to the disclosure of their names and whether the petitioners are already

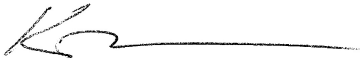
aware of some (or all) of the names.” (Id.). The Government indicated that it was working with Petitioners’ counsel to resolve the issue without court intervention. (Id. at 5).

On July 24, 2015, counsel for a group of victims who had previously settled claims with Intervenor Epstein filed a court document indicating that they “do not consent to their identities being revealed to the Petitioners.” (DE 335 at 1). To the extent their identities are known to the Government “or others,” these victims request that their identities not be further disseminated. (DE 335 at 1).

In light of these developments, the Court finds it necessary to supplement its July 6, 2015 Opinion and Order (DE 330) as follows:

1. The Government shall not be required to disclose to Petitioners the identities of unnamed victims whom are not already known to Petitioners and who do not consent to disclosure until after the Court has evaluated the Government’s position that doing so would violate state and federal law;
2. To the extent any victim’s identity is disclosed to Petitioners, under no circumstance shall that victim’s identity be disseminated to anyone other than the Government and Petitioners, and under no circumstance shall that victim’s name appear in any court document unless filed under seal.

DONE AND ORDERED in chambers at West Palm Beach, Palm Beach County,
Florida, this 27th day of July, 2015.


KENNETH A. MARRA
United States District Judge